

**PUBLIC EMPLOYEES' RETIREMENT SYSTEM
BOARD OF ADMINISTRATION
2008 Legislative Year**

Status as of February 7, 2008

B - Other Bills

Bill Number Version	Author	Summary	Board Position	Status
AB 2 A-09/07/2007	Dymally	MRMIP: Pay or Play Requires health care service plans and health insurers to elect to either make available all of its group or individual health benefit plans to individuals in each service area, or to alternatively pay a fee covering its market share, as determined by MRMIB based on covered lives. Amendments on 9/7/07 state that covered lives shall not include persons covered under several state programs, including PEMHCA.		09/11/2007- To inactive file on motion of Senator Perata.
AB 36 I-12/04/2006	Niello	Public Employees' Retirement: Fraud Establishes a definition of, and penalties for, fraud when done so in connection with benefits, or an application for benefits, administered by CalPERS, CalSTRS, or '37 Act County Systems.	Support	01/30/2008- Senate Rules Committee
AB 109 A-07/18/2007	Nunez	California Global Warming Solutions Act of 2006: Annual Report Requires the Governor to report annually to the legislature on greenhouse gas emissions. Also requires CalPERS, the State Treasurer's Office, and CalSTRS to report to the legislature, annually, on their efforts to make investments in the alternative energy or clean technology business.		09/04/2007- To inactive file on motion of Senator Perata.
AB 219* I-01/29/2007	Jeffries	Disability Retirement: Medical Examinations Permits CalPERS to request a medical reevaluation of a member retired for disability who is over the minimum age for voluntary retirement applicable to members of his or her class and if he or she has been retired for 36 months or less; current law only allows a medical reevaluation for those under the minimum retirement age.		02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last locations was P.E.,R. & S.S.

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.

Bill Number Version	Author	Summary	Board Position	Status
AB 275* I-02/09/2007	Soto	Local Safety Member Industrial Disability Retirement Existing law establishes the industrial disability retirement allowance for local safety members as (1) 50% of the member's final compensation plus an annuity purchased with the member's accumulated additional contributions, if the member is not eligible to retire, or (2) the member's service retirement allowance if it would be greater than 50% and the member is eligible to retire. This bill would provide a third option for calculating the industrial disability retirement allowance of local safety members who are not eligible to retire but who have earned enough service to exceed the 50% provided in current law.		02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last locations was P.E.,R. & S.S.
AB 376 A-01/14/2008	Nava	Local Safety Member: Airport Police Officers Allows contracting agencies to include their airport law enforcement officers as local safety members through an optional contract amendment.	Neutral	01/30/2008- Senate Rules Committee
AB 524 A-05/10/2007	Hancock	Contracting Agencies: Service Retirement; West County Waste Water District: Health Vesting Gives the West County Waste Water District a contract option to provide an employer contribution at the 100/90 formula for postretirement health coverage if the employee completes at least 10 years of state service with the District at retirement, as specified. This provision only applies to district employees who are first hired on or after January 1, 2009.	Support	05/23/2007- Senate PE&R Committee
AB 545 A-01/17/2008	Walters	CalPERS: Increased Investigation Authority Allows CalPERS investigators increased access to information maintained by the Employment Development Department (EDD) or by workers' compensation insurers with respect to an investigation of benefit eligibility or unlawful application for, or receipt of benefits.	Support	01/30/2008- Senate Rules Committee
AB 953* I-02/22/2007	Krekorian	State Vision Care Benefits Extended to Parents and Siblings Would require the Department of Personnel Administration, when entering into any contract for vision care for state employees, to extend that coverage to a parent or sibling of an employee, if specified conditions are met. By increasing employer and employee contributions under those provisions, the bill would make an appropriation.		02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last locations was P.E.,R. & S.S.

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.

Bill Number Version	Author	Summary	Board Position	Status
AB 991* A-01/07/2008	Calderon, Charles	DROP for State Patrol, POFF, and State Safety Establishes the Deferred Retirement Option Program (DROP) beginning July 1, 2008, as a voluntary program in CalPERS for the excluded or exempt state employees of State Bargaining Units 5, 6, 7, and 8 to provide eligible members, upon retirement, a lump sum payment in addition to their monthly retirement allowance and permit their designated beneficiary or beneficiaries to receive any remaining balance upon their death. Requires CalPERS to report by June 1, 2008 the cost impact of the DROP to the state for the 2008-09 fiscal year, and report annually by July 1, thereafter. Requires the program to be cost neutral to the state, and authorizes the Department of Personnel Administration to terminate the program if the annual valuation indicates it is not cost neutral.		02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last locations was APPR. SUSPENSE FILE
AB 1377* A-01/07/2008	Nakanishi	Public Employees: Health Savings Accounts Would require the CalPERS Board to offer a high deductible health plan, as defined in the federal tax law, and a health savings account option to public employees and annuitants, as specified. The bill would establish the Public Employees' Health Savings Fund, a continuously appropriated trust fund within the State Treasury, for payment of qualified medical expenses of employees and annuitants who elect to enroll in the high deductible health plan and participate in the health savings account option, and would require those employees and annuitants, and their employers, to make specified contributions to that fund.		02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last locations was P.E.,R. & S.S.

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.

Bill Number Version	Author	Summary	Board Position	Status
AB 1554	Jones	Health Plan Rate Approval		07/11/2007- Senate Health Committee
A-07/05/2007		Would require a health care service plan or disability insurance policy to receive approval by the Department of Managed Health Care or the Department of Insurance of an increase in the amount of the premium, copayment, coinsurance obligation, deductible, or other charges that would be effective on or after January 1, 2009. This article shall not apply to a State Program, though State Program is not defined in this bill or the Health and Safety Code. This article shall not apply to a proposed rate increase of less than 5 percent if the health care services plan's medical loss ratio during each of its three most recently completed reporting years is 90 percent or higher. In addition any rate increase that became effective between January 1, 2007 and December 31, 2008 would be subject to a review by the appropriate department. This bill excludes the Medical Program, Healthy Families Program and Medicare supplement plans.		
AB 1561	Calderon, Charles	State Tax Conformity with Federal Tax Changes		08/30/2007- Senate Appropriations Committee; suspense file.
A-06/14/2007		Among other things, provides state conformity to federal income tax laws to make permanent an exclusion for public safety employees from the 10 percent early withdrawal penalty on distributions made to beneficiaries of certain annuities and employees' trusts, as well as the tax treatment of certain distributions of pension plans. Also provides conformity with the recent federal exclusion from taxation of gross income of qualified public safety officers retired for service or disability, their spouses and dependents, up to \$3000 annually in direct distributions from an eligible public retirement plan to pay premiums for health, accident, or long-term care insurance.		

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.

Bill Number Version	Author	Summary	Board Position	Status
AB 1624*	Niello	Disability Benefits		02/01/2008- Failed
A-04/10/2007		Among other things, allows CalPERS to request up to two medical re-evaluations for individuals that have reached the minimum age for service retirement if they have been receiving a disability allowance for less than 60 months. The bill would limit the number of medical evaluations to two within a 36 month period. Medical re-evaluations after retirement currently cannot be requested if the retiree has reached the minimum age of retirement for service applicable to his or her retirement formula. The bill also requires the Board to convert from an industrial disability allowance to a service retirement allowance, the benefits of patrol members eligible for a maximum service retirement benefit that retire due to an industrial disability and subsequently become employed as a peace officer.		Deadline pursuant to Rule 61(b)(3). Last location was INS.
AB 1844	Hernandez	Public Employee Benefits		01/29/2008- From printer.
I-01/28/2008		(1) Establishes a definition of, and penalties for, fraud when done so in connection with benefits, or an application for benefits, administered by CalPERS, CalSTRS or '37 Act County System. (2) Allows CalPERS investigators increased access to information maintained by the Employment Development Department or by the workers' compensation insurers with respect to an investigation of benefit eligibility or unlawful application for, or receipt of benefits. (3) Requires public agencies to report OPEB information to the State Controller. Also requires the State Controller to develop a simple and inexpensive procedure to collect and report this information. (4) Requires that the Enrolled Actuary's cost analysis include normal cost and any additional accrued liability. The Agency chief executive officer shall attest in writing that he or she understands the current and future costs.		May be heard in committee January 28.
AB 1858	Jeffries	Benefit Forfeiture		01/31/2008- From printer.
I-01/30/2008		Requires a public employee first hired on or after January 1, 2009 that is convicted of a felony arising out of his or her official duties to forfeit the retirement benefits that accrue as a result of his or her public employment and shall receive only the employee contributions made during his or her employment.		May be heard in committee March 1.

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.

Bill Number Version	Author	Summary	Board Position	Status
ABX1 1 A-01/16/2008	Nunez	Health Care Reform Requires the California Health and Human Services Agency in consultation with CalPERS and others to develop health care provider performance measurement benchmarks and incorporate these benchmarks into a common pay-for-performance model to be offered in every state-administered health care program including PEMHCA. It would require CalPERS to be part of an assessment of the cost and affordability of health care in California. Requires the CalPERS health program to provide or arrange for the provision of an electronic personal health record and a Healthy Action Incentives and Rewards Program to all its enrollees. It would require a designee of CalPERS to participate as ex-officio member of a newly created Health Care Cost and Quality Transparency Commission.		01/28/2008-Senate Health Committee; failed passage.
ABX1 3 A-11/08/2007	Dymally	MRMIP: Pay or Play Requires a health care service plan and a health insurer to continue until January 1, 2009, to provide coverage to each individual who was terminated from the pilot program, with the benefits and premium for that coverage being determined by MRMIB, and to send those individuals a notice developed by MRMIB. The bill would, effective January 1, 2009, require a health care service plan and a health insurer to elect to either make available all of its group or individual health benefit plans to individuals in each service area, or to alternatively pay a fee covering its market share, as determined by MRMIB, of MRMIP's costs. It appears that PEMCHA would be included in the definition of covered lives.		11/08/2007-Assembly Health Committee
ABX1 8 A-11/08/2007	Villines	Health Care Reform ABX1 8 proposes multiple strategies to address health care costs and access, including: tax incentives and government programs to promote and facilitate consumer-directed health care and employer-sponsored insurance; allowing the sale of out-of-state health insurance policies not subject to any California law or regulation; increasing Medi-Cal provider reimbursement rates and creating an income tax credit for physicians who provide unreimbursed care for the uninsured.		11/14/2007-Assembly Health Committee; failed passage.

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.

Bill Number Version	Author	Summary	Board Position	Status
SB 11 A-07/05/2007	Migden	Domestic Parnterships Would expand the definition of "domestic partner" by allowing two persons of opposite sexes who are over 18 years of age and meet other specified criteria to register as domestic partners. As domestic partners they would be entitled to the same rights and duties as a spouse with regard to all state laws, including community property, pension and death benefits, taxes, and health insurance coverage.	Neutral, with Suggested Amendments	08/30/2007- Assembly Appropriations Committee; held under submission.
SB 389* I-02/21/2007	Yee	Hospital-Based Physician: Balance Billing Would require the Department of Managed Health Care and the Department of Insurance to implement an independent provider dispute resolution system on or before March 1, 2008. This bill would also prohibit a hospital-based physician from seeking payment from individual enrollees for services he or she rendered and would require that physician to seek reimbursement from the enrollee's health care service plan.	Support	02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last locations was JUD.
SB 461* I-02/21/2007	Ashburn	Divestment from Companies in a Foreign Terrorist State Would prohibit CalPERS and CalSTRS from investing public employee retirement funds, as defined, in a company with business operations in a foreign terrorist state, as specified, and would require the Boards of these retirement systems to sell or transfer any investments in these companies within specific timeframes and report to the Legislature regarding these investments.		02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last location was P.E. & R. (05/02/2007 marked 2 YEAR)
SB 579 A-06/21/2007	Wiggins	Safety Member: Qualified Health Insurance Premiums Requires CalPERS to certify to the Internal Revenue Service and specified health insurance plan providers for tax purposes that the member is a retired public safety officer when the member retires for disability or based upon years of service after attaining the normal retirement age.		09/07/2007- Placed on inactive file on request of Assembly Member Bass.
SB 580 I-02/22/2007	Wiggins	PEMHCA: Contract with Out-of-State Pension and Health Systems Authorizes the CalPERS Board to contract with out-of-state public employee pension and health systems to provide health care benefits to California employees and annuitants who reside outside this state, as specified.	Neutral	09/06/2007- Placed on inactive file on request of Assembly Member De Leon.

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.

Bill Number Version	Author	Summary	Board Position	Status
SB 608 A-09/07/2007	Wiggins	JRS Optional Settlements Restores in statute, the ability of judges that have attained the minimum age for service retirement with at least 20 years of service to irrevocable elect to designate their spouse to receive an optional settlement 2 in lieu of a pre-retirement death benefit, under the same provisions of law in effect prior to January 1, 2005, which provides the surviving spouse a monthly allowance equal to the actuarial equivalent of the member's earned retirement. Also honors elections made by judges between January 1, 2003 and January 1, 2007 that designated their spouse or someone other than their spouse to receive this specific pre-retirement optional settlement.		01/15/2008- Senate Unfinished Business
SB 689* I-02/23/2007	Correa	Vision Care: State Annuitant Would require the state to pay 1/2 of the monthly premium of each annuitant participating in the Vision Care Program for State Annuitants, subject to appropriation in the annual Budget Act. The program is currently self funded by annuitant premiums.		02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last locations was APPR. SUSPENSE FILE
SB 695* A-01/07/2008	Wiggins	Employee health benefits: Retired annuitants This bill would allow an annuitant who, after reinstatement to active employment, subsequently retires to enroll as an annuitant of the employer from which he or she first retired, unless the annuitant is entitled to a higher contribution from the employer from which he or she subsequently retires. To be eligible, the annuitant must qualify for a contribution payable by the employer from which he or she first retired. In addition, retirement must occur within 120 days after separation from employment from the most recent employer.		02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last locations was APPR. SUSPENSE FILE
SB 755* A-08/20/2007	Alquist	Increased Death Benefits for State Retirees Increases the death benefit paid to the designated beneficiary from \$2,000 to \$5,000 for a state member who retires on or before July 1, 2008.	Support, if Amended	02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last locations was P.E. & R.

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.

Bill Number Version	Author	Summary	Board Position	Status
SB 840 A-07/10/2007	Kuehl	Universal Coverage: Single-Payer System Makes all California residents eligible for specified health care benefits under the newly created California Healthcare System, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. Prohibits the issuance of health plan contracts for services covered by the system. Creates the California Healthcare Premium Commission (the Commission) to determine the cost of the California Healthcare System and develop a premium structure. Requires the Commission to recommend a premium structure to the Governor and Legislature on or before January 1, 2010, and to make a draft recommendation to the Governor, the legislature and the public 90 days before submitting its final premium structure recommendation. Requires that the system be operative within two years of the Secretary of Health and Human Services notifying the legislature that sufficient funds exist.		07/10/2007- Assembly Appropriations Committee
SB 981 A-09/07/2007	Perata	Health Care Coverage: Noncontracting Hospital-Based Physician Claims Establishes standards and requirements for claims payment and dispute resolution for non-contracting hospital-based physicians who provide emergency services in a hospital to enrollees of a health care service plan licensed by DMHC under Knox-Keene. Specifically, this bill would require any non-contracting hospital-based physician who provides emergency services in a hospital to seek reimbursement for medically necessary emergency services provided to the health plan enrollee solely from the health plan or its contracting risk-bearing organization that is financially responsible for the covered services.		09/10/2007- Assembly Health Committee and Assembly Appropriations Committee
SB 1032* I-02/23/2007	McClintock	Disability Retirement: Medical Examinations Permits CalPERS to request a medical reevaluation of a member retired for disability who is over the minimum age for voluntary retirement applicable to members of his or her class and if he or she has been retired for 36 months or less; current law only allows a medical reevaluation for those under the minimum retirement age.		02/01/2008- Failed Deadline pursuant to Rule 61(b)(3). Last locations was P.E. & R.

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.

Bill Number Version	Author	Summary	Board Position	Status
SB 1066 I-01/10/2008	Migden	Domestic Partnerships Would expand the definition of "domestic partner" by allowing two persons of opposite sexes who are over 18 years of age and meet other specified criteria to register as domestic partners. As domestic partners they would be entitled to the same rights and duties as a spouse with regard to all state laws, including community property, pension and death benefits, taxes, and health insurance coverage.		01/17/2008- Senate Judiciary Committee
SB 1123 I-01/28/2008	Wiggins	Pension and OPEB Benefit Cost Estimate Best Practices and Disclosure Requires state and local legislative bodies to review the impact of future annual costs associated with OPEB increases before their approval. These actuarial impact statements must be produced by an enrolled actuary and made public at a meeting of the legislative body at least two weeks prior to its adoption. Requires an actuary to attend the meeting where the adoption of a new benefit is considered, and prohibits the legislative body from approving new benefits or benefit increases by means of a consent calendar. Creates an California Actuarial Advisory Panel to provide information on pensions, OPEB's, and best practices to the Legislature, the Governor, public retirement systems, public agencies, and interested parties, including actuarial model policies, and pricing, disclosure and quality control standards for public sector actuaries. This bill is a result of recommendations made by the Public Employee Post-Employment Benefit Commission.		01/29/2008- From print. May be acted upon on or after February 28.
SBX1 12 A-01/14/2008	Runner	Health Care Cost and Quality Transparency Creates the California Health Care Cost and Quality Transparency Committee in the Health and Human Services Agency, which would be responsible for the development of a health care cost and quality transparency plan, which would include various strategies to improve medical data collection and reporting practices. Requires the Secretary of Health and Human Services to designate a lead agency which would adopt regulations to carry out the bill's intent, and to contract with a qualified public or private agency or academic institution to assist in the review of existing data collection programs or conduct other research or analysis.		01/14/2008- Senate Health Committee

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.

Bill Number Version	Author	Summary	Board Position	Status
SBX1 18 I-10/11/2007	Cogdill	PEMHCA: Public Employees" Health Savings Fund Requires the CalPERS Board of Administration to offer a high deductible health plan and a health savings account option to public employees and annuitants, as specified. The bill would establish the Public Employees' Health Savings Fund, a continuously appropriated trust fund within the State Treasury, for payment of qualified medical expenses of eligible employees and annuitants who elect to enroll in the high deductible health plan and participate in the health savings account option, and would require those employees and annuitants, and their employers, to make specified contributions to that fund.		01/07/2008- Senate PE&R Committee

*Did not meet the legislative calendar deadline for passage from policy or fiscal committee; would require rule waivers to be given further consideration in the current year.